W. 42; *Courvoisier* v. *Raymond* (1896), 23 Colo. 113, 47 Pac. R. 284; *New Orleans &c. R. Co.* v. *Jopes* (1891), 142 U. S. 18, 12 S. Ct. 109, 35 L. Ed. 919; *Zell* v. *Dunnaway* (1911), 115 Md. 1, 80 Atl. R. 215. See on the subject of *self-defense*, DICEY, LAW OF THE CONSTITUTION, 8th Ed. Note IV, pp. 489-497.

CONSTITUTIONAL LAW—ANTI-TIPPING STATUTE.—Action was brought on a writ of *habeas corpus* to test the validity of a California statute (Laws of 1917, ch. 172) which declared it a misdemeanor for any employer to require or accept from an employee, as a condition of the employment, any part of the tips received by such employee. *Held*, that the statute was unconstitutional as an unwarranted interference with the right of contract. *Ex parte Farbe* (Cal., 1918), 174 Pac. 320.

The majority of the court were of the opinion that the statute would not conduce to the elimination of the custom of tipping, which the court admitted was an evil whose eradication is desirable. No authority was cited except upon the general matter of restriction of contract. It has been held that tips turned over to an employer, in the mistaken belief that he demanded them, could be recovered by the employee. *Polites* v. *Barlin*, 149 Ky. 376; *Zappas* v. *Roumeliote*, 156 Iowa 709. Tips may be included as part of one's earnings, under the workman's compensation acts, *Sloat* v. *Rochester Taxi Co.*, 163 N. Y. S. 904; *Gt. Western Ry. Co.* v. *Helps*, (H. of L.) 1918, A. C. 141. A statute of Mississippi prohibiting the acceptance of tips, and forbidding employers to allow tipping, was assumed to be constitutional in *State* v. *Angelo*, 109 Miss. 624, and *State* v. *So. Ry. Co.*, 112 Miss. 23, although the indictments in both cases were dismissed on other grounds. A Tennessee statute (Laws of 1915, ch. 185) appears never to have been passed on.

CONSTITUTIONAL LAW—RACE-SEGREGATION ORDINANCES.—Plaintiffs sued to enjoin the City of Atlanta from carrying on criminal prosecutions under the city ordinance providing for race segregation. *Held*, injunction should issue. *Glover* v. *City of Atlanta* (Ga., 1918), 96 S. E. 526.

A similar ordinance was passed upon by the Supreme Court of the United States in *Buchanan* v. *Warley*, 245 U. S. 60, and declared unconstitutional. For a discussion of that decision see 16 MICH. L. REV. 109, and 31 HARV. L. REV. 475. The Georgia supreme court had held the ordinance valid in *Harden* v. *City of Atlanta*, 147 Ga. 248. In the instant case, however, it declared itself bound by the decision of the Supreme Court and reversed its original opinion.

EQUITY—JURISDICTION TO CANCEL WHERE LEGAL DEFENSE EXISTS.—A contract for advertising services for twelve months was superseded by another contract for sixty months, which was procured through misrepresentation that the term was only twelve months. In a suit to reform or cancel the second contract, *held* that equity has jurisdiction although the defense of fraud could be made at law. *Smith-Austermuhl Co.* v. *Jersey Railways Advertising Co.* (N. J. Ch., 1918), 103 Atl. 388.